

**Assembly Joint Resolution**

**No. 32**

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**Introduced by Assembly Members Allen, Gatto, and Wieckowski**

March 20, 2012

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Assembly Joint Resolution No. 32—Relative to a federal constitutional convention.

LEGISLATIVE COUNSEL'S DIGEST

AJR 32, as introduced, Allen. Federal constitutional convention: application.

This measure would constitute an application to the United States Congress to call a constitutional convention pursuant to Article V of the United States Constitution for the sole purpose of proposing an amendment to the United States Constitution that would limit corporate personhood for purposes of campaign finance and political speech and would further declare that money does not constitute speech and may be democratically limited.

This measure would state that it constitutes a continuing application to call a constitutional convention until at least  $\frac{2}{3}$  of the state legislatures apply to the United States Congress to call a constitutional convention for that sole purpose.

Fiscal committee: no.

- 1 WHEREAS, The United States Supreme Court in Citizens
- 2 United v. Federal Election Commission (2010) 130 S.Ct. 876 held
- 3 that the government may not, under the First Amendment to the
- 4 United States Constitution, suppress political speech on the basis
- 5 of the speaker's corporate identity; and

1 WHEREAS, Article V of the United States Constitution requires  
2 the United States Congress to call a constitutional convention upon  
3 application of two-thirds of the legislatures of the several states  
4 for the purpose of proposing amendments to the United States  
5 Constitution; now, therefore, be it

6 *Resolved by the Assembly and the Senate of the State of*  
7 *California, jointly*, That the Legislature of the State of California  
8 hereby applies to the United States Congress to call a constitutional  
9 convention pursuant to Article V of the United States Constitution  
10 for the sole purpose of proposing an amendment to the United  
11 States Constitution that would limit corporate personhood for  
12 purposes of campaign finance and political speech and would  
13 further declare that money does not constitute speech and may be  
14 democratically limited; and be it further

15 *Resolved*, That this constitutes a continuing application to call  
16 a constitutional convention pursuant to Article V of the United  
17 States Constitution until at least two-thirds of the legislatures of  
18 the several states apply to the United States Congress to call a  
19 constitutional convention for the sole purpose of proposing an  
20 amendment to the United States Constitution that would limit  
21 corporate personhood for purposes of campaign finance and  
22 political speech and would further declare that money does not  
23 constitute speech and may be democratically limited; and be it  
24 further

25 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
26 of this resolution to the President and Vice President of the United  
27 States, the Speaker of the House of Representatives, the Minority  
28 Leader of the House of Representatives, the Majority Leader of  
29 the United States Senate, the Minority Leader of the United States  
30 Senate, and to each Senator and Representative from California  
31 in the Congress of the United States.